

**Supreme Court of the United States  
Office of the Clerk  
Washington, DC 20543-0001**

**William K. Suter**  
Clerk of the Court  
(202) 479-3011

December 2, 2011

Clerk  
United States Court of Appeals  
for the Ninth Circuit  
P.O. Box 193939  
San Francisco, California 94119-3939

**Re: L. Perrigo Company  
v. Augustine Gaeta, et ux., Individually and as Guardian  
ad Litem for A. G., a minor  
No. 10-1499 (Your docket No. 09-15001)**

Dear Clerk:

Attached please find a certified copy of the judgment of this Court in the above-entitled case. You may obtain a copy of the opinion cited in the judgment by visiting our website @[www.supremecourt.gov](http://www.supremecourt.gov).

Sincerely,

WILLIAM K. SUTER, Clerk

By 

Elizabeth Brown  
Judgments/Mandates Clerk

Enc.

cc: Michael F. Healy, Esq.  
Stuart B. Esner, Esq.

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December 2, 2011

Mr. Michael F. Healy  
Sedgwick LLP  
One Market Plaza, Steuart Tower, 8th Floor  
San Francisco, CA 94105

**Re: L. Perrigo Company  
v. Augustine Gaeta, et ux., Individually and as Guardian  
ad Litem for A. G., a minor  
No. 10-1499**

Dear Mr. Healy:

Today, a certified copy of the judgment of this Court in the above-entitled case was emailed to the Clerk of the United States Court of Appeals for the Ninth Circuit.

The petitioner is given recovery of costs in this Court as follows:

**Clerk's costs:                      \$300.00**

This amount may be collected from the respondents.

Sincerely,

WILLIAM K. SUTER, Clerk

By 

Elizabeth Brown  
Judgments/Mandates Clerk

cc: Stuart B. Esner, Esq.  
Clerk, USCA for Ninth Circuit  
(Your docket No. 09-15001)

Supreme Court of the United States

No. 10-1499

L. PERRIGO COMPANY,

Petitioner

v.

AUGUSTINE GAETA, ET UX., INDIVIDUALLY  
and as GUARDIAN ad LITEM for A. G., a MINOR

ON PETITION FOR WRIT OF CERTIORARI to the United States

Court of Appeals for the Ninth Circuit.

**THIS CAUSE** having been submitted on the petition for writ of  
certiorari and response thereto.

**ON CONSIDERATION WHEREOF**, it is ordered and adjudged by  
this Court that the petition for writ of certiorari is granted. The judgment is  
vacated with costs, and the case is remanded to the United States Court of Appeals  
for the Ninth Circuit for further consideration in light of *PLIVA, Inc. v. Mensing*,  
564 U.S. \_\_\_\_ (2011).

**IT IS FURTHER ORDERED** that the petitioner L. Perrigo Company  
recover from Augustine Gaeta, et ux., Individually and as Guardian ad Litem for A.  
G., a Minor Three Hundred Dollars (\$300.00) for costs herein expended.

October 31, 2011

Clerk's costs:      \$300.00

